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# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 30408-1001

Total Pages in this Submission

### TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C.	111(a) and 37 C.F.R	. 1.53(b) is a new utility	patent application for an
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# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 30408-1001

Total Pages in this Submission

## **Application Elements (Continued)**

3.	X	Drawing(s) (when necessary as prescribed by 35 USC 113)
	a.	□ Formal
4.	$\boxtimes$	Oath or Declaration
	a.	☑ Newly executed (original or copy)  ☐ Unexecuted
	b.	☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
	C.	☑ With Power of Attorney ☐ Without Power of Attorney
	d.	DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.		Incorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.		Computer Program in Microfiche
7.		Genetic Sequence Submission (if applicable, all must be included)
	a.	☐ Paper Copy
	b.	☐ Computer Readable Copy
	C.	☐ Statement Verifying Identical Paper and Computer Readable Copy
		Accompanying Application Parts
8.		Assignment Papers (cover sheet & documents)
9.		37 CFR 3.73(b) Statement (when there is an assignee)
10.		English Translation Document (if applicable)
11.		Information Disclosure Statement/PTO-1449
12.		Preliminary Amendment
13.	X	Acknowledgment postcard
14.	$\boxtimes$	Certificate of Mailing
		☐ First Class ☒ Express Mail (Specify Label No.): EL409287987US

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 30408-1001

Total Pages in this Submission 3

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15.		Certified C	Copy of Priority	Document(s) (if	foreign priori	ty is clain	ned)		
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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☑ Applicant CHARLES E. YOUNG	□ Patentee
□ Application	□ Patent No
□ Filed on	□ Issued on
Title: PORTRAYAL OF HUMAN INFORMATION VISUALIZATION	
STATEMENT CLAIMING SMALL ENTITY ST (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS	
I hereby state that I am  □ the owner of the small business concern identified below:  □ an official of the small business concern empowered to act on	behalf of the concern identified
below:	condition the concern identified
Name of Small Business Concern Ameritest of CY Research, Inc.	
Address of Small Business Concern Number 2 San Rafael, NE,	
Albuquerque, New Mexico 8712	2
I hereby state that the above identified small business concern qualifies a defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purpose United States Patent and Trademark Office under Sections 41(a) and (b) in that the number of employees of the concern, including those of its affi persons. For purposes of this statement, (1) the number of employees of average over the previous fiscal year of the concern of the persons employeemporary basis during each of the pay periods of the fiscal year, and (2) other when either, directly or indirectly, one concern controls or has the pthird-party or parties controls or has the power to control both.	es of paying reduced fees to the of Title 35, United States Code, liates, does not exceed 500 f the business concern is the buyed on a full-time, part-time or concerns are affiliates of each
I hereby state that rights under contract or law have been conveyed to, as business concern identified above, with regard to the invention described	nd remain with, the small in
■ the specification filed herewith, with title as listed above.	
□ the application identified above.	•
□ the patent identified above.	

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27)

Each such person,	concern or organiz	ation having an	ny rights in the invention is listed below:
⊠ No such	person, concern, or	r organization e	exists.
□ Each suc	ch person, concern	or organization	n is listed below.
Name			
Address			
□ INDIVIDUAL	□ SMALL BUSIN	ESS CONCERN	□ NONPROFIT ORGANIZATION
Name			
□ INDIVIDUAL	□ SMALL BUSIN	ESS CONCERN	□ NONPROFIT ORGANIZATION
loss of entitlement t	o small entity status ance fee due after tl	s prior to paying	atent, notification of any change in status resulting in g, or at the time of paying, the earliest of the issue ch status as a small business entity is no longer
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a practitioner or non-pra chapter by a party, whet	ctitioner, constitutes a co her a practitioner or non	ertification under § -practitioner, mav n	g, submitting, or later advocating) of any paper by a party, whether 10 18(b) of this chapter. Violations of § 10.18(b)(2) of this result in the imposition of sanctions under § 10.18(c) of this to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 CF
were made with the imprisonment, or bo	n information and be knowledge that will oth, under Section 1 ay jeopardize the va	elief are believe Iful false statem 001 of Title 18 o Ilidity of the app	nerein of my own knowledge are true and that all ed to be true; and further, that these statements nents and the like so made are punishable by fine or of the United States Code, and that such willful plication, any patent issuing thereon, or any patent
Name of Person Sig	ıning	Charles E. Yo	oung
Title of Person if Oth	ner Than Owner	President	
Address of Person S	Signing	1711 Quail Ru	Run Court, NE
		Albuquerque,	, New Mexico 87112

Date Frb 28, 2000

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#### PORTRAYAL OF HUMAN INFORMATION VISUALIZATION

#### CROSS-REFERENCE TO RELATED APPLICATIONS

This is a continuation of International Application PCT/US98/18434, with an international filing date of September 4, 1998. This application also claims the benefit of the filing of U.S. Provisional Patent Application Serial No. 60/057,973, entitled *Method for Displaying How Humans Visually Process Information*, filed on September 5, 1997, and the specification thereof is incorporated herein by reference.

#### BACKGROUND OF THE INVENTION

#### Field of the Invention (Technical Field):

The present invention relates to display of information concerning human information visualization, particularly of two-dimensional objects such as advertisements.

#### Background Art:

In developing effective means to communicate with people using visual presentations, means for determining effectiveness of such presentations are required. In order to create effective advertisements, for example, one must have an effective means of judging the effects of the advertisement on the consumer. Preferably, such means must be easily and intuitively understood by decision makers at all levels.

Prior mechanisms for assessing information concerning consumer processing of visual information, of varying complexity, include U.S. Patent No. 5,676,138, to Zawilinski, entitled "Emotional Response Analyzer System with Multimedia Display"; U.S. Patent No. 5,465,729, to Bittman et al., entitled "Method and Apparatus for Biofeedback"; U.S. Patent No. 5,331,969, to Silberstein, entitled "Equipment for Testing or Measuring Brain Activity"; U.S. Patent No. 5,227,874, to Von Kohorn, entitled "Method for Measuring the Effectiveness of Stimuli On Decisions of Shoppers"; U.S. Patent No. 5,052,401, to Sherwin, entitled "Product Detector for a Steady Visual Evoked Potential Stimulator and Product Detector"; U.S. Patent No. 4,861,154, to

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Sherwin et al., entitled "Automated Visual Assessment System With Steady State Visual Evoked Potential Stimulator and Product Detector"; and U.S. Patent No. 4,647,964, to Weinblatt, entitled "Technique for Testing Television Commercials".

None of the above patents discloses the technique of the present invention in displaying information about reaction to an image by breaking the image into matrix cells and varying transparency of cells depending on information gathered about that cell. None of the prior disclosures are believed to have the intuitive impact of the present invention, and therefore are unlikely to be as successful in providing accurate information to decision makers.

#### SUMMARY OF THE INVENTION (DISCLOSURE OF THE INVENTION)

The present invention is of an apparatus and method for displaying viewer reactions to a display object comprising: dividing the display object into a plurality of spatial regions; collecting viewer reactions to an exposure to the display object; correlating the viewer reactions with the spatial regions; and displaying the display object with an aspect of the display of each spatial region being a function of the viewer reactions for the region. In the preferred embodiment, the display object is divided into a matrix, with each spatial region being a cell of the matrix.

Collecting is preferably by exposing a viewer, or a plurality of viewers, to the display object for a duration between ¼ and 4 second, and most preferably a plurality of exposures to the display object are employed. The display object is displayed with the transparency (and/or color tingeing) of each spatial region being a function of the viewer reactions for the region. A static image (or images) may be displayed, or a motion picture sequence employed, preferably of a plurality of images corresponding to a plurality of viewer exposures to the display image.

A primary object of the present invention is to provide a straightforward means for displaying information collected about a display object's impact on viewers.

A primary advantage of the present invention is that it is intuitively understandable by decision makers at all levels.

Other objects, advantages and novel features, and further scope of applicability of the present invention will be set forth in part in the detailed description to follow, taken in conjunction with the accompanying drawings, and in part will become apparent to those skilled in the art upon examination of the following, or may be learned by practice of the invention. The objects and advantages of the invention may be realized and attained by means of the instrumentalities and combinations particularly pointed out in the appended claims.

#### BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying drawings, which are incorporated into and form a part of the specification, illustrate several embodiments of the present invention and, together with the description, serve to explain the principles of the invention. The drawings are only for the purpose of illustrating a preferred embodiment of the invention and are not to be construed as limiting the invention. In the drawings:

Fig. 1 illustrates a display object to be displayed according to the invention;

Figs. 2-4 illustrate the display of the invention of viewer information collected about the display object of Fig. 1 at ½, 1, and 4 second exposures, respectively; and

Fig. 5 is a schematic diagram of the preferred apparatus of the invention.

# DESCRIPTION OF THE PREFERRED EMBODIMENTS (BEST MODES FOR CARRYING OUT THE INVENTION)

The purpose of the present invention is to provide an intuitively appealing method for displaying diagnostic research data or information collected about how an audience or sample of research subjects processes and responds to visually complex display objects. Such a method aids decision makers in quickly seeing the strengths and weaknesses of different elements of a display object in terms of how well they elicit desired effects.

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An "display object", for purposes of the specification and claims, is any visual stimulus represented or projected on a two-dimensional surface and designed to communicate a specific set of messages in order to elicit an intended response from viewers of that stimulus. Display objects include print advertisements, pages from catalogs, magazines or other printed publications, and screens from pages published electronically, as on the Internet or CD-ROMs. Display objects also include photographs or artistic renderings used as virtual representations of three dimensional communication spaces such as store environments, exhibition spaces, or street scenes (e.g., one cluttered with signage).

The present invention is designed to work with various manners of data collection that measure a human response to various parts of a display object. Two data collection methods are preferred, but others will be seen to be useful with the present invention by one skilled in the art.

The first preferred data collection approach makes use of controlled time exposures via a computerized interview. Each respondent is exposed to the display object on a computer screen for a sequence of measured time periods. For example, the respondent might be exposed to the test for three time exposures: ½ second, 1 second, and 4 seconds. After each exposure, the respondent is asked to record what he or she saw. The respondent may also be asked to indicate where exactly on the page or screen he or she saw items and that data is recorded on a grid. The information is then coded to determine how long it takes for viewers to register key elements such as a headline, a character, a package, a brand name, or the like. Depending on the purposes of the study, different time periods and a different number of exposures may be used. This method of data collection measures the order in which respondents take in or process the information contained in a display object.

The second preferred data collection approach is concerned with how people respond to the different parts of the display object. Response can refer to likeability or appeal, purchase

interest, relevance, or some other measure of emotional or cognitive response. For this measurement, respondents are shown a copy of the display object with a grid or matrix superimposed over it and are asked to provide a rating of their level of response to each cell of the matrix.

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The invention is of a method of displaying information gathered about a display object, such as that of Fig. 1, divided into a grid. First, an opaque screen in the form of an n x m matrix is superimposed on a copy of the display object. Next, the research measurement associated with a particular cell of the matrix is used to determine the degree of transparency of the part of the screen covering that cell. For example, if after a 1/4 second exposure, 30% of respondents indicated that they noticed a package in the part of the display object contained in cell 1 x 2, then the degree of transparency of the opaque screen covering cell 1 x 2 would be set to a value which is a function of 30%, such as the function x = x, which results in a 30% transparency. This adjustment is preferably performed for all cells in the matrix for each measurement taken.

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In order to display the sequence of viewer information processing, two types of display may be used. The first display presents all of the measurements collected simultaneously in a side-by-side arrangement of the different display screens associated with the timed exposures. An example of this type of display is shown in Figs. 2-4. Fig. 2 shows that the consumer's eye at the ½ second mark is attracted to the message in the yellow box and the dog at the top of the display object. Fig. 3 shows that the attention at the 1-second mark moves down to the store's logo. Fig. 4 shows that at the 4-second mark the consumer begins examining the prices of products featured on the sides of the display object. A second display type is in the form of a movie that shows the progression of viewer attention in a more dynamic way, with a dramatic effect much like that of a photograph developing in the darkroom of viewer consciousness.

In order to display information about viewer response, a similar approach is used insofar as a semi-transparent screen divided into measurement cells is superimposed on the display

Fig. 5 illustrates the preferred embodiment of the apparatus of the invention 10. Personal computer 12, or like image processor, is used to receive and/or calculate the correlations between collected information from viewers and spatial regions of a display object designated by the user. The personal computer or image processor then places into video memory (or like storage) an appropriate image of the display object with spatial regions assigned different transparencies and/or color tingeing. Images according to the invention may then be displayed in any manner known to the art, such as on a display 18 or on surface 16 via projector 14 (such as a liquid-crystal device (LCD) projector).

Although the invention has been described in detail with particular reference to these preferred embodiments, other embodiments can achieve the same results. Variations and modifications of the present invention will be obvious to those skilled in the art and it is intended to cover in the appended claims all such modifications and equivalents. The entire disclosures of all references, applications, patents, and publications cited above are hereby incorporated by reference.

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#### CLAIMS

#### What is claimed is:

- 5 1. A method for displaying viewer reactions to a display object, the method comprising the steps of:
  - a) dividing the display object into a plurality of spatial regions;
  - b) collecting viewer reactions to an exposure to the display object;
  - c) correlating the viewer reactions with the spatial regions; and
  - d) displaying the display object with an aspect of a display of each spatial region being a function of the viewer reactions for the region.
  - 2. The method of claim 1 wherein the dividing step comprises dividing the display object into a matrix, with each spatial region being a cell of the matrix.
  - 3. The method of claim 1 wherein the collecting step comprises exposing a viewer to the display object for a duration between ¼ and 4 second.
  - 4. The method of claim 1 wherein the collecting step comprises exposing a plurality of viewers to the display object.
  - 5. The method of claim 1 wherein the collecting step comprises exposing a viewer to a plurality of exposures to the display object.
  - 6. The method of claim 1 wherein the displaying step comprises displaying the display object with transparency of a display of each spatial region being a function of the viewer reactions for the region.

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- 7. The method of claim 1 wherein the displaying step comprises displaying the display object with color tingeing of a display of each spatial region being a function of the viewer reactions for the region.
- 8. The method of claim 1 wherein the displaying step comprises displaying a static image.
  - 9. The method of claim 1 wherein the displaying step comprises displaying images as a motion picture.
  - 10. The method of claim 1 wherein the displaying step comprises displaying a plurality of images corresponding to a plurality of viewer exposures to the display image.
  - 11. An apparatus for displaying viewer reactions to a display object, said apparatus comprising:

means for dividing the display object into a plurality of spatial regions; means for correlating viewer reactions to an exposure to the display object with said spatial regions; and

means for displaying the display object with an aspect of a display of each of said spatial regions being a function of the viewer reactions for said region.

- 12. The apparatus of claim 11 wherein said dividing means comprises means for dividing the display object into a matrix, with each of said spatial regions being a cell of said matrix.
- 13. The apparatus of claim 11 wherein said correlating means comprises means for correlating viewer reactions to exposures to the display object for a duration between 1/4 and 4 second.

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- 14. The apparatus of claim 11 wherein said correlating means comprises means for correlating viewer reactions of a plurality of viewers to the display object.
- 15. The apparatus of claim 11 wherein said correlating means comprises means for correlating viewer reactions of a plurality of exposures to the display object.
  - 16. The apparatus of claim 11 wherein said display means comprises means for displaying the display object with transparency of a display of each of said spatial regions being a function of the viewer reactions for said region.
  - 17. The apparatus of claim 11 wherein said display means comprises means for displaying the display object with color tingeing of a display of each of said spatial regions being a function of the viewer reactions for said region.
  - 18. The apparatus of claim 11 wherein said display means comprises means for displaying a static image.
  - 19. The apparatus of claim 11 wherein said display means comprises means for displaying images as a motion picture.
  - 20. The apparatus of claim 11 wherein said display means comprises means for displaying a plurality of images corresponding to a plurality of viewer exposures to the display image.

#### PORTRAYAL OF HUMAN INFORMATION VISUALIZATION

#### ABSTRACT OF THE DISCLOSURE

An apparatus and method for displaying viewer reactions to a display object. The display object is divided into a plurality of spatial regions, viewer reactions are collected to an exposure to the display object and correlated with the spatial regions, and the display object is displayed with an aspect of the display of each spatial region being a function of the viewer reactions for the region.

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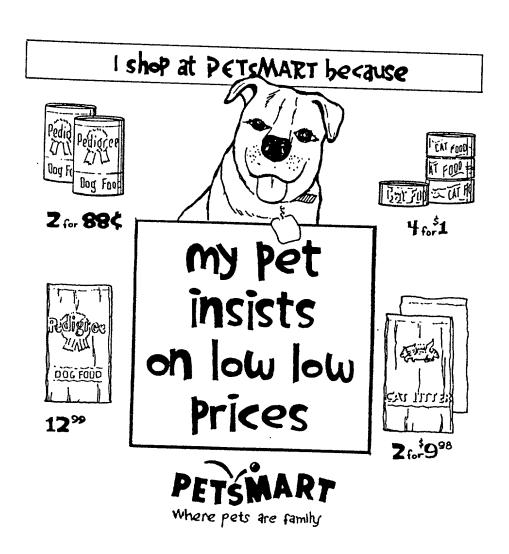
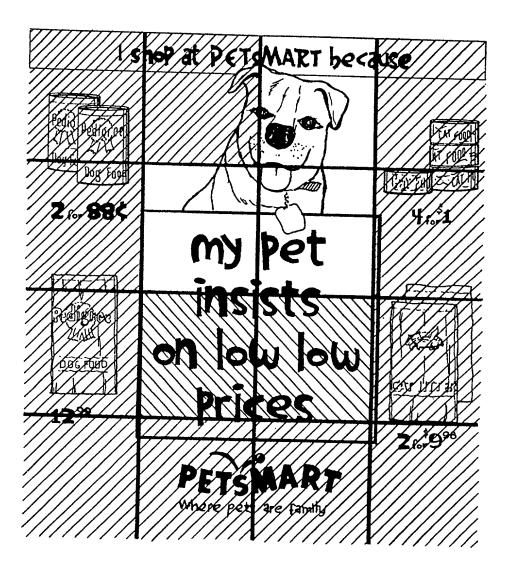


FIG-1

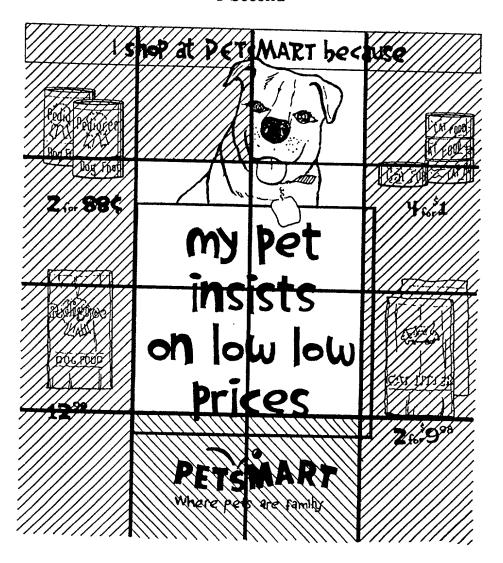
## ½ Second



The consumer's eye is attracted to the message in the boxes [with the words "my pet"] and the dog at the top of the ad.

Fig. 2

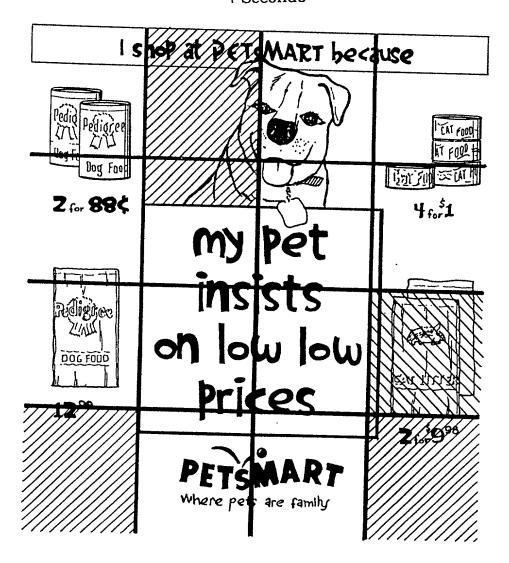
#### 1 Second



The attention moves down from the store's logo (to the boxes with the "PetSmart" logo].

Fig. 3

#### 4 Seconds



Finally the consumer begins examining the prices of products featured on the sides [framing the center blocks].

Fig. 4

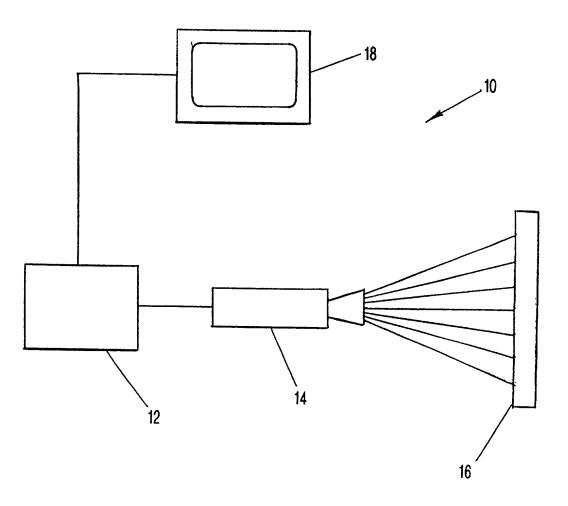


FIG-5

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Docket No. 30408-1001

## **Declaration and Power of Attorney For Patent Application**

## **English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

	first and joint invento which a patent is sou	=		<i>,</i>
	the specification of w	hich		
# 4m#	(check one)			
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4	Application Numb	oer		
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			(if applicable)	
Tack hast have know that	I acknowledge the di known to me to be Section 1.56.  I hereby claim foreig Section 365(b) of any PCT International ap- listed below and have	as amended by any all uty to disclose to the material to patentable or priority benefits ure foreign application(s) application which design also identified below or PCT International all aimed.	derstand the contents of the above mendment referred to above.  United States Patent and Trademar lity as defined in Title 37, Code of the content of the co	k Office all information Federal Regulations, Section 119(a)-(d) or Section 365(a) of any lan the United States, pplication for patent or
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	(1141111111)	- (Gountry)	(Day/Month/Year Filed)	
	(Number)	(Country)	(Day/Month/Year Filed)	
	(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under application(s) listed below:	r 35 U.S.C. Section 119(e	e) of any United States provisional
(Application Serial No.)	(Filing Date)	
(Application Serial No.)	(Filing Date)	
(Application Serial No.)	(Filing Date)	
365(c) of any PCT International app the subject matter of each of the cla PCT International application in the l acknowledge the duty to disclose known to me to be material to pa	olication designating the Uniter tims of this application is not manner provided by the first to the United States Patent a atentability as defined in T	United States application(s), or Section and States, listed below and, insofar as disclosed in the prior United States or paragraph of 35 U.S.C. Section 112, and Trademark Office all information itle 37, C. F. R., Section 1.56 which and the national or PCT International
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Pateňt and Trademark Office connected therewith. (list name and registration number)

Deborah A. Peacock, Reg. No. 31,649 Paul Adams, Reg. No. 21,096 Brian J. Pangrle, Reg. No. 42,973 Andrea L. Mays, Reg. No. 43,721 Jeffrey D. Myers, Reg. No. 35,964 Rod D. Baker, Reg. No. 35,434 Stephen A. Slusher, Reg. No. 43,924 Joseph Barrera, Reg. No. 44,522

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Deborah A. Peacock (505) 998-1501

	l name of sole or first inventor HARLES E. YOUNG
(	le or first inventor's signature  Date  3/1/00  sidence
17	11 QUAIL RUN COURT, NE, ALBUQUERQUE, NEW MEXICO 87122
Citi US	izenship SA
	st Office Address 11 QUAIL RUN COURT, NE
Al	BUQUERQUE, NEW MEXICO 87122

Full name of second inventor, if any		
Second inventor's signature	Dat	:e
Residence	*	
Citizenship		
Post Office Address		

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